

REMARKS

This paper is responsive to the Final Office Action dated October 20, 2008. All rejections and objections of the Examiner are respectfully traversed.

Reconsideration and further examination are respectfully requested.

The present claim amendments are intended to clarify and more precisely claim the present invention. Support for the present claim amendments is found throughout the Specification as originally filed. For example, support for the present claim amendments is found in reference numbers 502 and 504 in Fig. 20, and from line 6 on page 29 through line 5 on page 31 in the Specification.

No new matter has been added.

The Examiner rejected claims 3-5 and 8 stand rejected for obviousness under 35 U.S.C. 103, based on the combination of United States patents 7,185,290 ("Cadiz") and 7,185,290 ("Canfield"). Applicants respectfully traverse these rejections.

Cadiz discloses a system for providing peripheral awareness of information to a user that may be determined automatically, or specified by the user. The information provided by Cadiz is automatically tracked and provided in an interactive peripheral display to the user. Cadiz determines or specifies, tracks or watches, and provides the information using a customizable dynamic encapsulated object, a "ticket," that when paired with a "viewer," provides peripheral awareness of information to the user, and that are sharable among users, and may be copied, cut, pasted, saved, transmitted, dragged and dropped from web pages, etc., like any other electronic file using conventional techniques.

Canfield discloses a user interface that enables user perception of information regarding a communications session and that leverages an instant messaging platform. The user interface of

Canfield includes an instant messaging application user interface and one or more tear-off elements corresponding to ongoing instant messaging communications sessions. Each tear-off element in Canfield is configured to enable perception and selection by a user of a corresponding instant messaging communications session.

Nothing in the combination of Cardiz and Canfield discloses or suggests a computer implemented method of providing, by an awareness client application process executing on a local computer system having at least one processor and a computer readable memory, a local user of said local computer system with updated status information regarding at least one remote user, comprising:

obtaining, from an associated awareness server application process executing on a server computer system, an online status of said remote computer system user;

presenting a representation of said remote computer system user, wherein said representation of said remote computer system user includes an online status icon associated with said remote computer system user;

obtaining an updated status message associated with said remote computer system user, wherein said updated status message includes personal detail information and activity information regarding said remote computer system user other than said online status of said remote computer system user; and

modifying said online status icon associated with said remote computer system user to include an additional visual indication that said updated status message associated with said remote computer system user is available for viewing, wherein said modifying does not present said updated status message, wherein said online status icon of said remote computer system user includes a graphical representation of whether said remote computer system user is currently available for an instant messaging communication session, and *wherein said modifying said online status icon associated with said remote computer system user to include said additional visual indication that said updated status message associated with said remote computer system user is available for viewing leaves said graphical representation of whether said remote computer system is currently available for an instant messaging communication session unmodified.* (emphasis added)

as in the present independent claim 4. In contrast, Cadiz teaches a system in which the availability of a remote user is represented by a visual representation of the remote user that

shows a social state of the remote user, while Canfield teaches a status indicator in a tear off message indicating whether a message is pending within an instant messaging session. Specifically, in column 37, lines 46-59, Cadiz discloses displaying a frontal close-up of the remote user for an available status, and a profile view of the remote user for a busy state. In Fig. 6 of Canfield a tear off elements 522 and 622 include a status indicator indicating whether a new IM message within the IM session corresponding to the interface tear-off element remains pending for review. Neither Cadiz nor Canfield include any teaching or suggestion of modifying an online status icon associated with a remote computer system user to include an additional visual indication that an updated status message associated with the remote computer system user is available for viewing, *wherein said modifying said online status icon associated with said remote computer system user to include said additional visual indication that said updated status message associated with said remote computer system user is available for viewing leaves a graphical representation of whether said remote computer system is currently available for an instant messaging communication session unmodified*, as in the present independent claim 4.

For the above reasons, Applicants respectfully urge that the Examiner has not established a *prima facie* case of obviousness under 35 U.S.C. 103 with regard to the present independent claim 4. As to claims 3, 5 and 8, they each depend from claim 4, and are respectfully believed to be patentable over the combination of Cadiz and Canfield for at least the same reasons.

Dependent claims 2, 6, 9 and 10 also stand rejected for obviousness under 35 U.S.C. 103 based on combinations of Cadiz and Canfield with United States patent publication 2004/0183829 ("Kontny") and United States patent 6,697,840 ("Godefroid"). As discussed in detail above, the combination of Cadiz and Canfield does not disclose or suggest all the features of independent claim 4, from which claims 2, 6, 9 and 10 depend. The combination of Kontny

and/or Godefroid with Cadiz and Canfield does not remedy the above described shortcomings in the teachings of Cadiz and Canfield with regard to independent claim 4, since neither Kontny nor Godefroid discloses or suggests modifying an online status icon associated with a remote computer system user to include an additional visual indication that an updated status message associated with the remote computer system user is available for viewing, *wherein said modifying said online status icon associated with said remote computer system user to include said additional visual indication that said updated status message associated with said remote computer system user is available for viewing leaves a graphical representation of whether said remote computer system is currently available for an instant messaging communication session unmodified.*

For the above reasons Applicants respectfully urge that the combinations of Kontny and/or Godefroid with Cadiz and Canfield fail to support a *prima facie* case of obviousness with regard to the present independent claim 4. As claims 2, 6, 9 and 10 each depend from claim 4, they are respectfully believed to be patentable over the cited combinations for at least the same reasons.

Reconsideration of all remaining claims is respectfully requested.

Applicants have cancelled claims and amended claims. Applicants are not conceding in this application that unamended claims are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution of allowable subject matter. Applicants respectfully reserve the right to pursue the unamended claims in one or more continuations and/or divisional patent applications.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully

requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

February 19, 2009

Date

/David Dagg/

David A. Dagg, Reg. No. 37,809  
Attorney/Agent for Applicant(s)  
44 Chapin Road  
Newton, MA 02459  
(617) 630-1131

Docket No. 260-010